IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1335 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 03/08/2004 in WP NO : 13539 OF 2004 on the file of the High Court.)

Between:

1. Sri Jangiti Rajeshwar S/o Sri Poshetty R/o Binola Village, Navipet

Mandal, Nizamabad District
2 Sri Jangiti Raghu S/o Sri Poshetty R/o Binola Village, Navipet

Mandal, Nizamabad District.

..... APPELLANTS

AND

1 The Joint Collector, Nizambad District Nizamabad.
2 The Mandal Revenue Officer, Navipet Mandal, Nizamabad Mandal.
3 Sri Md. Abdul Khayyum Siddiqui S/o Sri Abdul Rahman, Nizamabd.

Sugar Factory, R/o Village Binola, Navipet Mandal, District:

Niziamabad

.....RESPONDENTS

Counsel for the Appellants:MR.VILAS V.AFZULPURKAR

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent No.3: None appeared.

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Learned counsel for the appellants has brought to our notice entry made in the Sesala pahani for the period 1955-56 and 1957-58 particularly column No.2 thereof wherein there is a total mis-reading of the entry by the Joint Collector, which led him in coming to the conclusion. The Joint Collector wrongly read it as Dharga inam as if it was a religious inam or charitable inam. According to his submission, the entry is "Dharge Midha".

In view of what has been brought to our notice, we are of the view that it is a matter which requires hearing and decision in the presence of the third respondent so that the matter can be sent back for consideration by the authority concerned.

Appeal is allowed and the impugned order is set aside with direction that writ petition be heard and decided after issuing notice to the third respondent.

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DEVINDER GUPTA, CJ

7-9-2004

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C.V.RAMULU, J

Tvr

To

1 The Joint Collector, Nizambad District Nizamabad.
2 The Mandal Revenue Officer, Navipet Mandal, Nizamabad Mandal.
3 2 CCs to the Govt. Pleader for Revenue, High Court Buildings,

Hyderabad, (OUT).

4 2 CD copies.